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October 13, 2024

By ECF and Email

Hon. Taryn A. Merkl
United States Magistrate Judge
United States District Court
225 Cadman Plaza East
Brooklyn, New York 11201

Re: Sylla, et al. v. Amazon Labor Union et al.
Civil Case No. 23-05261 (AMD)
Request to Modify October 16, 2024 Conference Time

Dear Judge Merkl:

The Court has set a Status Conference for October 16, 2024 at 12:15PM.

I have a Status Conference in California Superior Court Los Angeles scheduled for 11:30AM. The problem is that 15 other cases are also scheduled for 11:30 AM. I do not have co-counsel. We are first on a 27 case calendar. It takes about 20 minutes for the initial calendar call and our matter will take 15 minutes or so (it involves a discovery dispute). Our request is to push the Sylla conference back to 12:45PM (or any time later on the 16th).

I also expect that by the time of the conference the Defendant Amazon Labor Union (ALU) will substitute in a new attorney for Jeanne Mirer and the rest of her former law firm. The new lawyer will be, I anticipate), Louie Nikolaidis, an experienced LMRDA attorney. Ms. Mirer would remain counsel of record to Defendant Chris Smalls, who is no longer President of the ALU (Connor Spence is now President), but who was sued in his individual capacity; ALU will not be providing representation to him in his individual capacity. The other Defendant, The Congress of Essential Workers, will also remain represented by Ms. Mirer, since control is in the hands of Defendant Smalls and a group of former ALU officers.

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Attorneys Mirer and Nikolaidis is available at 12:45 on the 16th. All Plaintiffs will seek with respect to her remaining cleinst is a dismissal without prejudice. No Answer or Motion for Summary Judgment was ever filed so FRCP 41 seems applicable.

Thank you for your consideration.

Respectfully submitted,

/s/ Arthur Z. Schwartz

Arthur Z. Schwartz

cc: Jeanne Mirer, Esq. (via ECF)
Louie Nikolaidis, Esq, by email (lnikolaidis@lcnlaw.com)
Connor Spence